

REMARKS

This is meant to be a complete response to the Office Action mailed June 1, 2006. In the Office Action, the Examiner required restriction to one of the following inventions under 35 U.S.C. 121:

- I. Claims 1-21, 30-51, 62-82 and 92, drawn to an assay or method for detecting the presence of anti-HLA antibodies in a sample, and kit comprising a substrate linked to a soluble HLA molecule, a detecting means and a positive and a negative control sample that either bind or do not bind, respectively, to the soluble HLA molecule, wherein a providing step of the said method comprises using **mRNA** as the starting material, classified in Class 435, subclasses 69.1 and 810.
- II. Claims 1-13, 22-43, 52-74 and 83-92, drawn to an assay or method for detecting the presence of anti-HLA antibodies in a sample, and kit comprising a substrate linked to a soluble HLA molecule, a detecting means and a positive and a negative control sample that either bind or do not bind, respectively, to the soluble HLA molecule, wherein a providing step of the said method comprises using **gDNA** as the starting material, classified in Class 435, subclasses 91.2 and 810.

Applicants respectfully elect Invention I, and claims 1-21, 30-51, 60-82, 91 and 92 readable thereon. Claims 22-29, 52-59 and 83-90 have been canceled herein, without prejudice, and therefore Applicants reserve the right to pursue such claims in a divisional application.

In the Office Action, the Examiner also stated that Applicant was further required to elect a single disclosed species to be used in the claimed method or the claimed kit (a specific substrate, soluble HLA molecule, antibody and anchoring moiety).

In response to the election requirement, Applicants respectfully elect the following:

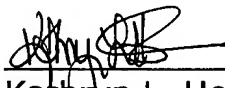
<u>Requirement:</u>	<u>Election:</u>	<u>Claims readable thereon:</u>
(1) specific substrate:	ELISA plate	1-3, 5-21, 30-33, 35-51, 60-64, 66-82, 91 and 92
(2) anchoring moiety:	antibody	1-7, 12-21, 30-38, 42-51, 60-68, 73-82, 91 and 92
(3) antibody:	W6/32	1-7, 12-21, 30-38, 42-51, 60-68, 73-82, 91 and 92
(4) HLA:	HLA-A2	all pending claims

Claims 1-3, 5-7, 12-21, 30-33, 35-38, 42-51, 60-64, 66-82, 91 and 92 are readable upon the elected species above. However, Applicants respectfully traverse the election requirement regarding a specific HLA molecule. All of the pending claims are generic regarding HLA molecules, and the inclusion of this entire genus would not pose an undue search burden upon the Examiner. Therefore, Applicants respectfully request reconsideration and withdrawal of the election requirement of a specific HLA molecule.

Further, upon allowance of any of generic claims 1-3, 12-21, 30-33, 35-38, 42-51, 60-64, 66-68, 73-82, 91 and 92, Applicants respectfully request rejoinder and reconsideration of currently withdrawn claims 4, 8-11, 34, 38-41, 65 and 69-72.

Should the Examiner have any questions regarding this Election, or the Remarks contained therein, Applicants' representative would welcome the opportunity to discuss same with the Examiner.

Respectfully submitted,



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